

**PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF JULY 20, 2004.**

**ATTENDANCE**

**COUNCIL:** Randy Menard (Chair - District 9), Rob Stevenson (Vice Chair - District 8), Bobby Badeaux (District 1) Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

**ABSENT:** None

**COUNCIL STAFF:** Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk), Monica Fontenot (Administrative Assistant)

**ADMINISTRATIVE STAFF:** L.J. Durel, Jr. (City-Parish President), Pat Ottinger (City-Parish Attorney), Gail Smith (Director of Administrative Services), Chief Robert Benoit (Fire Department), Interim Chief Randy Hundley (Police Department), Becky Lalumia (Director of Finance & Management), Melanie Lewis (Director of Community Development), Tony Tramel (Director of Traffic & Transportation), Tom Carroll (Director of Public Works), Eleanor Bouy (Director of Planning, Zoning & Codes), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Director of Utilities)

**COMMENCEMENT**

(TAPE 1)(SIDE A)(250)AGENDA ITEM NO. 1: Call to order.

Chair Randy Menard called the Regular Council Meeting of July 20, 2004 to order.

(TAPE 1)(SIDE A)(254)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(280)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

City-Parish President Durel read a proclamation recognizing the month of July as National Recreation and Parks Month, which was accepted by Mr. Larry Heidbrink on behalf of the Lafayette City-Parish Recreation Commission.

(TAPE 1)(SIDE A)(330)AGENDA ITEM NO. 4: **COUNCIL ANNOUNCEMENTS**

**RESOLUTIONS**

(TAPE 1)(SIDE A)(343)AGENDA ITEM NO. 5: **R-043-2004** A resolution of the Lafayette City-Parish Council, acting in its capacity as the Metropolitan Planning Organization (MPO) for the Lafayette Urban Area, authorizing the filing of an application with the Louisiana Department of Transportation and Development under the 2004 Transportation Enhancement Program for the Camellia Green Bicycle Connector and Roadway Buffer. A motion to approve by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

Williams questioned if there was any type of fiscal impact. Lalumia responded this is a grant application and would depend on if there would be a requirement for match. The existing funds that are set aside for the Camellia soundwall would be the monies that would be used if a match was required to any federal or state grant monies that may be available. LCG is currently responsible for the maintenance of the greenbelt area and she was unsure if there would be any changes if the plan was fully developed. Williams expressed his concerns that the maintenance of the land that was originally purchased as a buffer only, by passage of this resolution, it would be changed from a buffer to a bicycle connector and roadway buffer and asked what additional maintenance, if any, would this obligate the government? Lalumia opined that, at this point, it

didn't obligate the government to anything. If approval were received for the grant, then the Administration would then return to the Council and accept the funds.

Mr. Durel added that currently LCG is responsible for the corridor and the residents in the subject area have volunteered to do gardens, maintain and adopt certain areas. The project will entail some utilization of a soundwall, but the current plan is to apply for grants. Stevenson stated he is pleased with the current program, which not only will be a memorial to cancer victims; it will also abate sound and beautify the street. According to the proposed program design, the maintenance will be very minimal.

(TAPE 1)(SIDE A)(582)AGENDA ITEM NO. 6: R-044-2004 A resolution of the Lafayette City-Parish Council directing the Planning, Zoning & Codes Department (Planning Division) to automatically send an abandonment issue to the Planning Commission for consideration when one of the applicable Lafayette Consolidated Government Departments does not approve the action. A motion to approve by Conque, seconded by Bourgeois, and the vote was as follows: YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

Conque explained the subject resolution addresses when there is an objection by an LCG department to abandonment issues, especially issues that pertain to matters initiated by the Planning & Zoning Commission. By submitting this resolution, he is suggesting that the Planning & Zoning Commission be given the opportunity to review the matter and provide the Council with guidance as to the resolution of the abandonment issue.

***Item No. 29, Ordinance No. O-167-2004 was requested by Legal to be taken out of sequence.***

#### **ORDINANCES FOR FINAL ADOPTION**

(TAPE 1)(SIDE A)(601)AGENDA ITEM NO. 29: O-167-2004 An ordinance of the Lafayette City-Parish Council declaring the construction of a Southside Branch for the Lafayette Public Library a public necessity and authorizing the Lafayette City-Parish President to acquire certain real property for the location and construction of said branch. A motion to approve as amended by Benjamin, seconded by Williams, ***with amendments being made within the servitude agreement*** and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved as amended.*

Blaise Sonnier, a member of the Lafayette Public Library Board, explained the board is requesting approval for the purchase of a 6-acre tract of property at the intersection of Johnston Street and the planned Doc Duhon Road extension. He also announced that the board is reviewing the schematics for the Carencro Branch.

(TAPE 1)(SIDE B)(001)

Sona Dombourian, Interim Director of the Library, gave a brief presentation on the Lafayette Building Program. As a reminder, the voters of Lafayette Parish approved a \$40 million bond issue in November 2002. The purpose of the approval was to provide library service within 3 miles for 95% of the parish population by 2014. To accomplish that, the Library Board proposed building 4 regional libraries and a complete renovation of the main library, including completing the 3<sup>rd</sup> floor. The building program includes construction of a 38,000 square foot facility located in South Lafayette and a 10 – 12,000 square foot facility in Carencro. Once these two locations are completed, the renovations of the main library will begin, with construction of branches in Youngsville/Broussard and Scott/Duson areas to follow.

The South Lafayette branch will be located on a 6-acre tract of land at Johnston Street/Duhon Road. The RFP for this project has been received within budget and appraisal. The following items were taken into consideration:

- Visibility
- Access
- Size & shape of lot

- Cost
- Future building expansion

The total cost of the subject property is \$1,154,472. The following is the South Lafayette Branch timetable:

- July 2004 – Property acquisition
- August 2004 – Design phases begin
- Fall 2005 – Construction begins
- Spring 2007 – Move in and dedication

With regard to the North Branch, which is located in Carencro, there has been a donation of 4 acres of land for the construction of this branch. It will be located adjacent to the new City of Carencro Community Center on North University. The considerations meet visibility, access and other needs as well as allowance to build up to a 12,000 square foot facility. Currently, the survey of land is in the process and an intergovernmental agreement will be forthcoming by the end of August/early September. The timetable for the North Branch is as follows:

- July 2004 – Design phases begin
- September 2004 – Property acquisition
- Summer 2005 – Construction begins
- Fall 2006 – Move in and dedication

Broussard wanted to ensure that the 4 branches could be built within the bond issuance authorization. Sonnier assured the Council that the Library Board is working within the boundaries of the bonds to meet their objectives. When the bond propositions were presented to the voters, it included a detailed plan and a budget for each branch. The buildings will be designed within the parameters of the budgets and the cost estimates that have been established. The Library Board's concept that has been designed is a parishwide system. They are committed to providing library services to every resident of Lafayette Parish within 3 miles of their home. Bourgeois questioned the timeframe with regard to purchase of property out of concern for the possible increase in cost. Dombourian explained the Library Board anticipates advertising for RFP's on the North and South locations within the next 12 months.

(TAPE 1)(SIDE B)(301)AGENDA ITEM NO. 7: O-144-2004 An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 86, Article VI. "Stopping, Standing and Parking in City of Lafayette," Subdivision III. "Citations" creating the misdemeanor crime of leaving children unattended and unsupervised in motor vehicles, and prescribing penalties for the violation and conviction, which will be Section 86-288 thereof. A motion to approve by Stevenson, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

Stevenson explained he recently witnessed two children in locked vehicles without attendance of an adult. Because of the type of climate and society that we all live in today, he is greatly concerned for the safety of the children. After research was conducted, he was disappointed to find out that the maximum penalty, under state law, for leaving a child unattended in a vehicle is \$25.00. He is requesting to amend the code to include the penalty of a maximum of 6 months and/or \$500.00 fine. He also requested a resolution be drafted, approved by the Council and forwarded to the state legislators in order to help change the current state law.

(TAPE 1)(SIDE B)(408)AGENDA ITEM NO. 8: O-145-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the receipt of Workforce Investment Act (WIA) revenues in the amounts of \$379,601 in the Adult Allocation, \$409,580 in the Youth Allocation, and \$363,301 in the Dislocated Worker Allocation from the Louisiana Department of Labor and by allocating salaries and benefits in the amount of \$22,627 within the incentive grant and \$15,647 within The Strategies to Empower People (STEP) Program and appropriating same within the Department of Community Development, Workforce Development Division and the Department of Administrative Services, Workforce Investment Board Division Title I-B budgets.

A motion to approve by Williams, seconded by Conque, and the vote was as follows:  
YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard  
NAYS: None  
ABSENT: None  
ABSTAIN: None  
*Motion was approved.*

(TAPE 1)(SIDE B)(431)AGENDA ITEM NO. 9: O-146-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government increasing revenues in the amount of \$2,017.85 received from interest earned on the investment of Fiscal Year 2003/2004 Local Law Enforcement Block Grant Funds (LLEBG) and appropriating the same within the Police Department's INF Equip-LLEBG 03-LB-BX-1146 work order. A motion to approve by Mouton, seconded by Badeaux, and the vote was as follows:  
YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard  
NAYS: None  
ABSENT: None  
ABSTAIN: None  
*Motion was approved.*

(TAPE 1)(SIDE B)(448)AGENDA ITEM NO. 10: O-147-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government authorizing the increase of revenues in the amount of \$86,690.00 received from the Louisiana Commission on Law Enforcement (LCLE) and Administration of Criminal Justice for the FY 03/04 State Violent Crime/Drug Control and System Improvement Grant Program; authorizing the transfer of matching funds in the amount of \$28,946.00 from the Police Department Reserve-LCLE Funding and Grant Match Fund; and, appropriating the revenues and match within the Police Department. Duration of this grant is for 12 months, beginning March 1, 2004 and ending February 28, 2005. A motion to approve by Mouton, seconded by Bourgeois, and the vote was as follows:  
YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard  
NAYS: None  
ABSENT: None  
ABSTAIN: None  
*Motion was approved.*

(TAPE 1)(SIDE B)(471)AGENDA ITEM NO. 11: O-148-2004 An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-269-2003 by authorizing the current Lafayette City-Parish President, L.J. Durel, Jr., to execute the joint cooperative endeavor agreement with River Ranch, LLC and the Village of River Ranch Owners Association. A motion to approve by Bourgeois, seconded by Conque, and the vote was as follows:  
YEAS: Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard  
NAYS: Badeaux  
ABSENT: None  
ABSTAIN: None  
*Motion was approved.*

Upon questioning by Williams, Ottinger explained the ordinance adopted in October 2003 authorized then City-Parish President Comeaux to sign; however, he had not signed it prior to the change of Administration in January 2004. By adopting the subject ordinance, it is being amended to authorize, by name, Mr. Durel to sign the agreement. It does not change the ordinance previously adopted in October 2003.

The following person was recognized:

**Shelby Williams** requested an explanation of why a joint cooperative endeavor agreement was established. Menard responded that River Ranch Owners Association requested to build a brick wall at its own expense between Kaliste Saloom (River Ranch side) and the river. The entire wall was built up to the bridge, at which point the Association had to actually go onto LCG's right-of-way to complete the construction. As a result, an agreement was established in order to give them the authority to build on the right-of-way.

(TAPE 1)(SIDE B)(568)AGENDA ITEM NO. 12: O-149-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$300,000 from Industrial Parkway Bridge Project to Reserve - Streets. A motion to approve by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

Carroll explained when the project was originally placed in the budget, it was anticipated there would be significant repairs to the bridge. The Operations Division of Public Works was able to repair the bridge by using in-house crews. Therefore, there is a remaining project balance of \$300,000, which can be returned to the general fund. Mouton thanked and commended the crews for a job well done and added he hopes these repairs will alleviate problems for the surrounding business owners.

(TAPE 1)(SIDE B)(604)AGENDA ITEM NO. 13: O-150-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$43,700 from Alonda Drive Coulee Wall Project to Reserve. A motion to approve by Mouton, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

(TAPE 1)(SIDE B)(619)AGENDA ITEM NO. 14: O-151-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$60,000 from Reserve – Drainage to North Hillary Drive Drainage Improvements Project within the Department of Public Works for additional funding needed. A motion to approve by Broussard, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

Carroll explained when the subdivision behind Nezida Roy was developed, a drainage impact analysis was conducted because the area had drainage problems. In the approved construction plans, it was shown that the swale ditch would be improved between the two subdivisions to afford drainage. Once the subdivision began, the developer failed to maintain the swale ditch. At this point, Public Works made a decision to conduct the work needed, even though the staff opined it should be the responsibility of the developer. Eventually, the developer installed pipe in the ditch, which was unapproved and not reviewed by the staff. The installation of the pipe created a problem in the adjoining subdivision inasmuch as the adjacent ground was higher than the area in Nezida Roy.

When the design for Nezida Roy began, some provisions were made to provide for some drainage relieve for those lots. However, the staff noted objections to the Administration that LCG should not be charged with the drainage problem because the problem was created by the developer. When the plans went out for bid, the portion of the plans to provide backyard relief were removed. Menard questioned who was the developer. Carroll responded he was unsure of the developer but confirmed the engineer was Walter Comeaux III.

(TAPE 2)(SIDE A)(001)

Carroll added his staff recommended that the legal staff pursue legal action to recoup the costs. Upon questioning by Mouton, Carroll responded there are approximately 3 to 4 subdivisions that were developed with problems that may have occurred due to the developer not receiving approval of certain items in the plans of development. Conque asked what enforcement measures LCG has in place to assure that developers meet all of the conditions that are demanded during a plat approval process. Bouy responded the main items are the issuance of

building permits and certificates of occupancy for completed projects. Durel assured the Council that legal actions would be taken toward those developers who have not complied with all requirements for developments. Benjamin suggested requiring developers to purchase bond insurance to cover any costs that may arise from lack of meeting requirements. He opined that subdivision regulations were developed in order that situations like this would not occur. Carroll agreed and added that during a final inspection, if something does not meet requirements, Public Works will not recommend acceptance of the subdivision.

(TAPE 2)(SIDE A)(137)AGENDA ITEM NO. 15: O-152-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$600,000 from Parish Road and Bridge Improvements to St. Esprit Road Bridge and Fatima Road Bridge Projects within the Department of Public Works for additional funding needed. A motion to approve by Broussard, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

Bourgeois is concerned with the amount of truck traffic that may occur once the bridge is complete. He requested that load limits be posted as well as enforced. Carroll responded the bridge would be designed appropriately for the load limits. However, the enforcement has been a challenge but he will speak with Legal on how to enforce same. Upon questioning by Broussard, Lalumia explained the monies being used are from the Parish Road and Bridge millage.

(TAPE 2)(SIDE A)(182)AGENDA ITEM NO. 16: O-153-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$4,799 from Ambassador Caffery/Congress Turn Lanes Project to Reserve - Streets. A motion to approve by Bourgeois, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

(TAPE 2)(SIDE A)(193)AGENDA ITEM NO. 17: O-154-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 capital budget of the Lafayette City-Parish Consolidated Government by transferring \$207,034 from the 02 Multi-Modal Construction (20% match) account, work order 43-401-59-7-731-00 into Council Reserve. A motion to approve by Badeaux, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

*Motion was approved.*

**Mary Ann Ficaro** – signed a blue sheet but declined to speak.

(TAPE 2)(SIDE A)(208)AGENDA ITEM NO. 18: O-155-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 capital and operating budgets of the Lafayette City-Parish Consolidated Government by recognizing, accepting and allocating revenue in the amount of \$1,625,601 received from FTA Grant LA-90-X265-00 and transferring \$207,034 from Council Reserve and appropriating those funds within various line items within the Traffic and Transportation Department, Transit Division. A motion to approve by Williams, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

*Motion was approved.*

The following person was recognized:

**Mary Ann Ficaro** felt that the night owl bus service has proven to be a benefit to the disabled citizens of Lafayette Parish. On behalf of the citizens with disabilities, she is requesting that the program be allowed to continue to grow in hopes of it becoming self-sufficient in the future. She received correspondence that federal grant monies were received for the program and the disabled citizens will await action from the Council.

Benjamin stated there is a need for the night owl bus service for those who cannot provide certain amenities for themselves. He requested that Tramel transfer funds to locate funding in order to make available these services to those who are handicapped. Tramel made the two following points:

- The subject monies are capital monies, not operation and maintenance monies.
- The subject ordinance does not refer to, in any way, night owl bus service.

The ordinance is recognizing those revenues and is appropriating them to the proper accounts. With no Council reserve, his department took the local match out of the multi-modal project to assist in the funding of operation and maintenance costs and allocates the remaining portion to the capital dollars that are included in the application. He explained that operating assistance specifically comes from the Federal Transit Administration for communities who operate transit systems. It stated that one is eligible to recover 50% of the net losses on the facility. This money is programmed into the general fund as anticipated revenue. Once the multi-modal facility is complete, LCG's portion of funding will be approximately \$1.5 million out of the \$14 million total cost of the project.

Tramel gave a breakdown on the cost of running a daily bus service. Williams requested that Tramel provide information to the Council on how to get Lafayette to the national norm in terms of cost recovery. Tramel opined there is no program that breaks even.

(TAPE 2)(SIDE A)(696)AGENDA ITEM NO. 19: O-156-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by amending the manning tables of the Parks and Recreation Department to delete five (5) Equipment Operators III in the Wetland Division and by adding five (5) Equipment Operators II in the Wetlands Division. A motion to approve by Benjamin, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: None

ABSENT: Mouton

ABSTAIN: None

*Motion was approved.*

(TAPE 2)(SIDE A)(720)AGENDA ITEM NO. 20: O-157-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of revenue in the amount of \$1,218,245, which includes \$830,303 in Home Grant Funds and \$87,942 in American Dream Down Payment Initiative (ADDI) Funds received from the U.S. Department of Housing and Urban Development, and \$300,000 in property owner contributions anticipated to be received, and appropriating within the Community Development Department. A motion to approve by Benjamin, seconded by Williams, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Badeaux, Broussard

ABSTAIN: None

*Motion was approved.*

**Larry Baker** signed a blue sheet to declined to speak.

(TAPE 2)(SIDE B)(011)AGENDA ITEM NO. 21: O-158-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of revenue in the amount of \$1,976,000 in CDBG funds received from the U.S. Department of Housing and Urban Development and appropriating within the Community Development Department. A motion to approve by Stevenson, seconded by Benjamin, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Badeaux, Broussard

ABSTAIN: None

*Motion was approved.*

(TAPE 2)(SIDE B)(020)AGENDA ITEM NO. 22: O-159-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to submit the 2004 Annual Plan Grant Application to the U.S. Department of Housing and Urban Development. A motion to approve by Stevenson, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

ABSTAIN: None

*Motion was approved.*

(TAPE 2)(SIDE B)(046)AGENDA ITEM NO. 23: O-160-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an act of cash sale whereby the Lafayette City-Parish Consolidated Government will purchase certain real estate located at 232 Marie Street, 305 Joan Street and 301 Joan Street, Lafayette, Louisiana from Whitney Community Development Corporation, for utilization by the Department of Community Development, Housing Division. A motion to approve as amended by Williams, seconded by Benjamin, ***with the amendment being the act of cash sale document*** and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin, Broussard

ABSTAIN: None

*Motion was approved as amended.*

(TAPE 2)(SIDE B)(061)AGENDA ITEM NO. 24: O-161-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government to recognize Credit Counselor Fees in the amount of \$1,023.00 from LPFA Housing Assistance Corporation/Vision Financial Services and assigning the funds received to the proper budgetary accounts within the Department of Community Development. A motion to approve by Stevenson, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin, Broussard

ABSTAIN: None

*Motion was approved.*

Upon questioning by Mouton, Sandra Moore, Human Services Manager, explained the Neighborhood Counseling Services program provides counseling for first-time homebuyers.

(TAPE 2)(SIDE B)(079)AGENDA ITEM NO. 25: O-163-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government to allocate funding for salary adjustments approved by the Lafayette City-Parish Civil Service Boards. A motion to approve as amended by Conque, seconded by Bourgeois, ***the amendment being made within the budget revision*** and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Conque, Mouton, Menard

NAYS: Badeaux, Stevenson

ABSENT: Broussard

ABSTAIN: None

*Motion was approved as amended.*

Lalumia explained the amendment to the budget revision was to add a change in title in Division 410. The revision reflects decreasing a Secretary to the Fire Chief position and increasing an Administrative Assistant to the Fire Chief. The title change was inadvertently left out but the salary amount remains the same. Stevenson expressed his concerns with a possible “ripple effect” this may have in other departments. Lalumia clarified that the Records Clerk and the Store Clerk include the normal progression that exist within the pay plan and felt there would be no effect with regard to these two positions. The Administrative Assistant to the Fire Chief is a single class within the Fire Pay Plan and Lalumia confirmed this classification should not have any effect as well.

Chief Benoit explained that his secretary has been handling extra duties that were not in her job description, including serving as his budget administrator. Therefore, he is requesting that she be reclassified to an Administrative Assistant in order that she could be classified correctly.



(TAPE 2)(SIDE B)(137)AGENDA ITEM NO. 26: O-164-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to enter into an intergovernmental agreement with the City of Youngsville concerning the resurfacing of Bonin Road from Louisiana Highway 92 to Fortune Road Project. A motion to approve by Bourgeois, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams, Broussard

ABSTAIN: None

*Motion was approved.*

Carroll explained there has been controversy with regard to jurisdiction of roads. According to state law, the maintenance has to be shared when there is a large amount of the area that is adjoining the road that belongs to LCG and the other part is in the Town of Youngsville. After discussions with various parties, it was reasonably decided that the cost of the project would be shared. The road is in Youngsville but a large portion of the adjoining area is within the parish.

The following person was recognized:

**George Bentley** expressed his concerns that once a road is resurfaced, the shoulders of the roads also need to be maintained as well.

(TAPE 2)(SIDE B)(226)AGENDA ITEM NO. 27: O-165-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of \$1,042.00 within the Department of Planning, Zoning and Codes for additional funding needed in salaries and benefits for the Director's Executive Secretary position from salary float in order to comply with and reflect the appropriate funding level as dictated by Civil Service Rule IV, Section 5.2 (Promotion). A motion to approve by Benjamin, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

ABSTAIN: None

*Motion was approved.*

Upon questioning by Menard, Lalumia explained that since these secretaries have been reclassified to Director's Executive Secretary, the person in the subject position is replacing the original person, who vacated the position. Because of her seniority in the system, her pay is higher than what was budgeted for the former employee. Bouy added the previous director hired this person from another department. She accepted the promotion without the promotional pay. In reviewing PZC's budget, it was determined there was salary float available in order to give Ms. Domingue her full promotional pay. Bouy also added Ms. Domingue was hired at a salary for which she was not being paid.

Mike Sands, Human Resources Manager, stated currently there are 8 Director's Executive Secretaries in which their pay is not aligned with the years of service. Both Menard and Stevenson expressed their concerns with regard to a possible "ripple effect". Stevenson added the Director's Executive Secretary's salary would be above that of a Planner II and the Annexation Coordinator. Bouy responded that her goal is to institute Ms. Domingue's pay that she was due when she was promoted. Ken Mouton, Civil Service Director, confirmed that at the time Ms. Domingue was promoted, she was not given her full promotional pay raise because of the lack of funding. He felt there would be no reason why any other Director's Executive Secretary should go back before Civil Service and demand another increase.

(TAPE 2)(SIDE B)(444)AGENDA ITEM NO. 28: O-166-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of an electrical easement on property of Women's and Children's Hospital, having a municipal address of 4600 Ambassador Caffery Parkway. A motion to approve by Mouton, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

ABSTAIN: None

*Motion was approved.*

Paul Miers of Paul Miers Engineering explained that once the construction began at Women and Children's Hospital, the building was going to be built over the existing line that was

serving the existing transformer. The line has been abandoned, removed and relocated to the current position which feeds the transformer.

**CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS**

Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
Council District 6	Page Cortez 130 Ronald Blvd. Lafayette, LA 70503	Lafayette City/Pairsh Recreation Advisory Commission	4 years	08/01/2004

At this time, Menard announced there was a request to vote separately on Item No. 37, Ordinance No. O-174-2004.

(TAPE 2)(SIDE B)(486)AGENDA ITEM NOS. 31-40: A motion was offered by Stevenson, seconded by Mouton, to approve for introduction the following ordinances with the exception of Item No. 37, in-globo and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard

ABSTAIN: None

*Motion was approved.*

**INTRODUCTORY ORDINANCES**

- 31. O-168-2004 An ordinance of the Lafayette City-Parish Council requiring that all street vendors in Lafayette post a sign indicating a price schedule.
- 32. O-169-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government to provide for mid-year adjustments of revenue and appropriation estimates.
- 33. O-170-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish Consolidated Government to donate ten (10) Motorola STX Type 1 Portable Radios, Microphones and Chargers which are surplus movable property no longer needed by the Lafayette City-Parish Consolidated Government for public purposes to the Town of Sunset Police Department in accordance with L.R.S.38:2319.21. (Portable Radios)
- 34. O-171-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$4,475.00 received from the U.S. Department of Justice the transfer of Federal Forfeited Property for Asset #04-DEA-431460, appropriating to the Lafayette City Police Department (hereinafter “LPD”) for the purchase of law enforcement equipment.
- 35. O-172-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government authorizing the increase of revenues in the amount of \$6,100.00 received from Micro Chips fees.
- 36. O-173-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government authorizing the increase of revenues in the amount of \$78,954.00 received from the Louisiana Commission on Law Enforcement (LCLE) for the Fiscal Year 2004 Law Enforcement Terrorism Prevention Program (LETPP); and appropriating the revenues within the Police Department. Duration of this grant is from May 19, 2004 to October 31, 2005.
- 38. O-175-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$88,493 from Lajaunie Road Project to Reserve - Streets.

39. O-176-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the receipt of Workforce Investment Act (WIA) Dislocated Worker Revenues under Title I-B of the Workforce Investment Act in the amount of \$241,706.00 from the Louisiana Department of Labor for authorized WIA Services, and appropriating same within the Department of Community Development, Workforce Development Division and the Department of Administrative Services, Workforce Investment Board Division Title I-B budgets.
40. O-177-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of the utility niche on Lot A-19 and Lot A-20 in Phase III of the Village of River Ranch, having municipal addresses of 120 Woodsboro Drive and 122 Woodsboro Drive, respectively.

(TAPE 2)(SIDE B)(564)AGENDA ITEM NO. 37: O-174-2004 An ordinance of the Lafayette City-Parish Council establishing a residential rate of \$2.41 per residential unit per month to fund the provision of Environmental Services by the Department of Public Works.  
*Died for a lack of motion.*

(TAPE 2)(SIDE B)(560)AGENDA ITEM NO. 41: Comments from the public concerning the above Introductory Ordinances.  
*No speakers*

**ADJOURN**

There being no further business to come before the Council, Chair Menard declared the regular Council meeting adjourned.

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Norma A. Dugas  
Clerk of the Council